FOR MYSORE STATE

Dev (1953) Department.

Passed
Secy
Govt

DPS SERIES.

G.O. NO. 1031.

Dated 5-3-53

[Despatch Abstract.]

Mys - P.L.. Mangalore Dt - Bellary
Dt - Bellary Tk - Haraganadonahalli
Fno. 311 - Sri V. Nagappa, Bellary -

From

Sri. V. Nagappa
Line Owner and Contractor
Donppp: Road, Brucepet,
Bellary

To

The District Collector
Office of the Collectorate
Bellary.

Dated 28th March 1952.

35352

Sir,

Sub: Mines - Prospecting licence - Bellary district - Bellary taluk - Haraganadomi village - S.No.211 - 472.32 acres in extent - Grant of requested:

I submit herewith my application in the prescribed form enclosing rough sketch in triplicate of the area required for prospecting and request you to kindly grant me the necessary prospecting licence.

The requisite prospecting licence fee of Rs.50/- has been credited into the Bellary Sub Treasury vide chalan No.2572 dated 28-3-52.

The Government of Madras, Development Department have in their Memorandum No.75 Development dated 31st March 1952 renewed the certificate of approval held by me for the year 1952.

The necessary security deposit will be credited before the licence is issued.

V. Nagappa
Line owner

Encl: 1 application & 1 sketch map
Copy submitted to the Secretary to Govt. Development Department Fort St George Madras

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35352/52

Dept. J.

Jo A.S.

(Page 1. above)

The report of the Collector of Bellary with connected papers may be awaited till 25.4.52.

3.4.52. 3rd req.

25.4.52

[illegible] Licence under Rule [illegible] of the [illegible]:

The name, residence and profession of the applicant if he is an individual or if the applicant is a Company, Syndicate, private firm or partnership its name and nature and place of business and if the place of business is outside India the name and residence of a member or duly authorised agent resident in India:	Vadde Nagappa Main Owner and Contractor Vadrabanda, Donnappa Road, Ulsoor, Bellary.
The number and date of the gazette notification of the grant of the certificate of approval to the applicant:	Memo No.75 Development Dept., dated 21-2-1952 Government of Madras.
Specification of the mineral or minerals which the applicant intends to prospect for or mine.	Iron ore Ore
A description illustrated by a map or plan showing as accurately as possible the situation, boundaries and area of the land with respect to which the licence is required:	Rough sketch of Survey No.211 measuring 47 acres each of Kurugodu village Bellary Taluk, Bellary district is enclosed. An accurate sketch showing boundaries etc., will follow
Whether the area applied for has been durably demarcated and, if so, how and what distinguishing mark the demarcations bear. (In the case of the lands on the sea-shore it is not necessary to mark out the land below the high water level)	Yes.
A statement showing the areas within the (province of Madras) already held by the applicant or by any person joint in interest with him in prospecting or mining right.	The applicant has no mining areas viz. Iron ore Kurugodu village, Kurugodu Taluk - Bellary district.
The period for which the lease is required:	Two years
Whether the applicant is for a fresh concession or for a renewal of a concession previously granted:	Fresh
The means by which the mineral is to be raised i.e. by hard labour or mechanical or electrical power:	Manual labour
Approximate estimate of the quantity of mineral expected to be raised during the first year:	The licence is for prospecting
The manner in which the mineral raised is to be utilized:-	
(a) for manufacture in India:	do
(b) for export to foreign countries:	

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In the former case the industries in connection with which it is required, should be specified. In the latter case, the countries to which the mineral will be exported, should be stated.

page 2.

If the applicant intends to supervise the mines his previous experience of mining/prospecting should be explained; if he intends to appoint a Manager the name of such a Manager and the nature and extent of his previous experience should be specified:

The applicant will personally supervise the works. He has 12 years of experience.

The amount deposited as security and the number and date of the treasury receipt (The treasury receipt should be enclosed with the application):

Will be remitted before the grant of licence.

NOTE : The application fee of Rs.50/- as per rule 15 of the mineral concession rule 1949 is remitted in Bellary Sub Treasury in challan No.257 dated 28.3.52

V-Nagappa

Signature

28/3/52

ROUGH. SKETCH

EXTENT - 472.32.

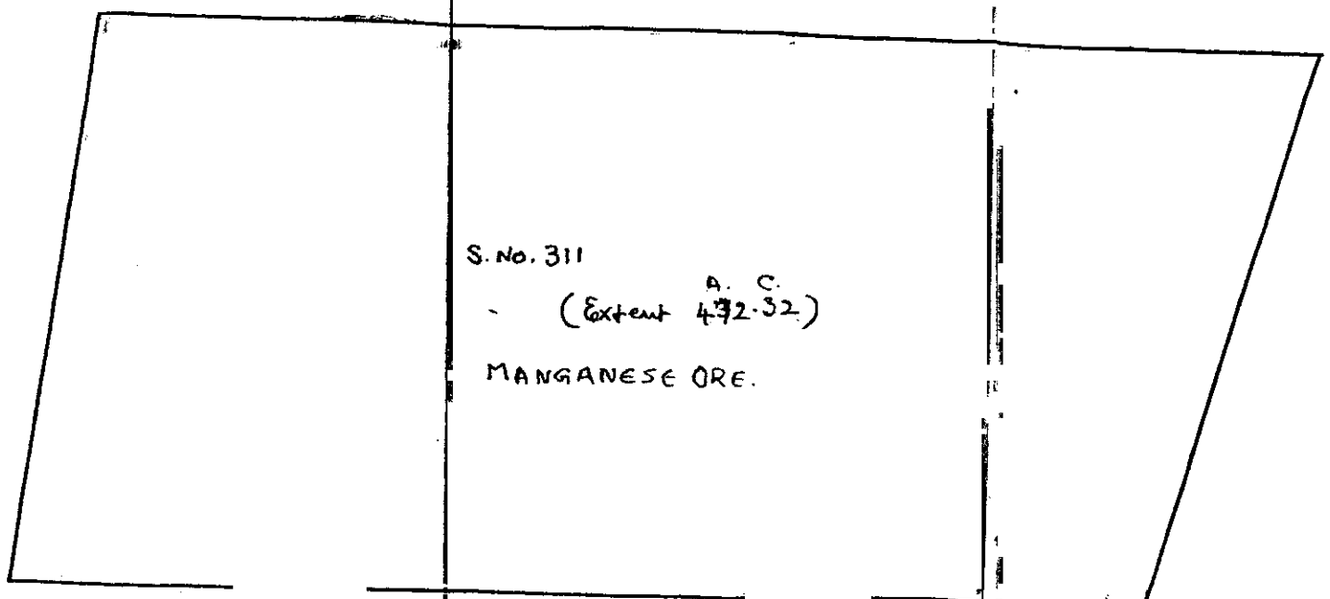
S.No. 311

[redacted] DONI [redacted]

BELLARY. TALU[redacted]

BELLARY. DISTRICT

S. No. 311. EXTENT. 472.32



V-Nagappa

APPLICANT.

28.3.52

ROUGH. SKETCH

EXTENT - 472.32.

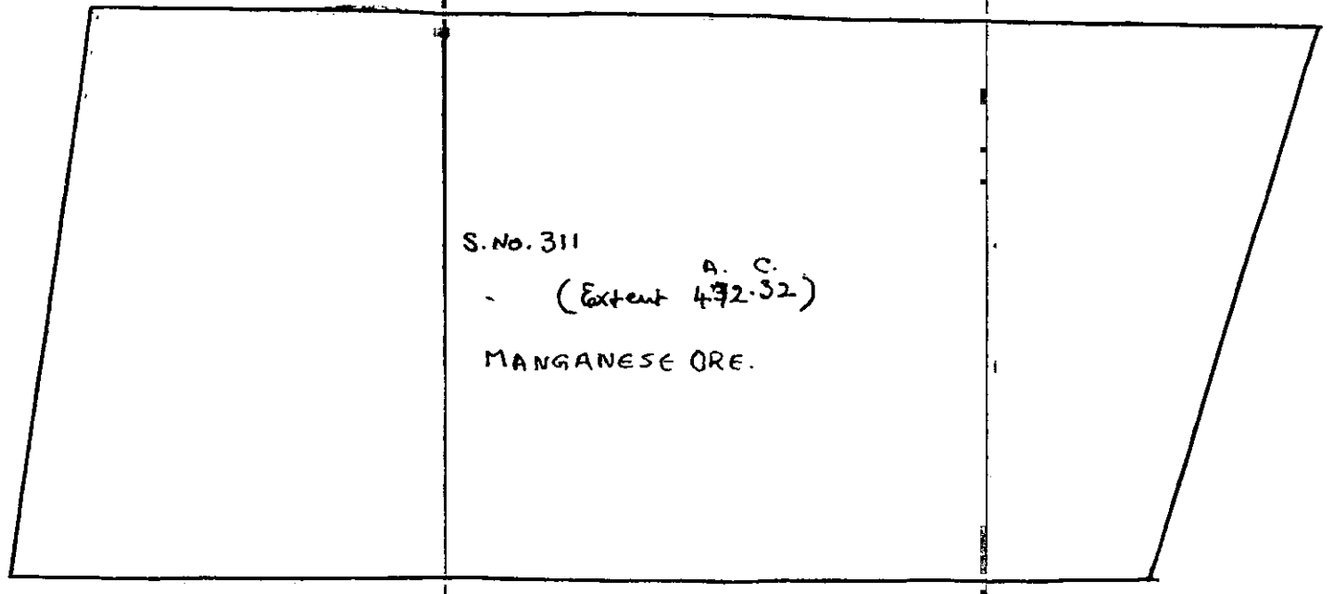
S.No. 311

HARAGANA DONI. VILLAGE.

BELLARY. TALUK.

BELLARY. DISTRICT

S. No. 311. EXTENT. 472.32



V-Nagappa

APPLICANT.

28.3.52

Dept J.

Memo No 35352 J/52-1 D/26-4-52

Sub: Mines - P.L - (Bellary) - Bellary taluk - Haraganadoni village - S.No. 311 - Ext 472.32 acres - Grant of - Requested.

P.I CF Ref: From Sri. V. Nagappa. d/26.3.52.

The attention of the Collector of Bellary is invited to the application of Sri. V. Nagappa and he is requested to expedite his reply.

To,
The Collr.
Bellary.

R.O.C. No. 4340/52 A12 Dated. 17.1.53.

From

Sri.D.R.Sundaram, I.A.S.,
Collector, Bellary.

To

The Secretary to the Government,
Development Department, F.S.B.
Madras.

through The Director of Industries and Commerce,
Madras.

Sir,

Sub:- Mines- P.L. Bellary Dt. Taluk Haragadona village S. No. 311 Extent 472-32 acres grant of- to Sri. V. Nagappa- Bellary- Report submitted.

Ref:- Govt. Memo. No. 35382/52/J/-4 dated. 18.8.52.

Sri. V.Nagappa Bellary has applied for the grant of a P.L. to proppect for manganese ore in S. No. 311 measuring 472.32 acres in Hargandona village limits of Bellary Taluk. He has remitted the application fee of Rs. 50/- in Ch. No. 2572 dated. 28.3.52 as required by the M.C. Rules 1949.

The Tahsildar Bellary reports that the area applied for by the applicant is classffied as un assessed waste and is under the control of the Revenue Department. It does not contain lime stones. But the area is held on mining lease by M/S Tiffin Barytes Asbestos and Paints Ltd., Madras to mine red oxide and ochre. This mining lease was orignally granted to one Sri. Dasaratharama Reddy of Madras in Bd's Mis. No. 185 dated. 20.1.1938 to mine red oxide and ochre in S. No. 311 of Harganadona village measuring 472-32 acres for a period of 30 years from 20.7.38 and it was subsequently transferred in the name of M/S Tiffin Barytes Asbestos and paints ltd.m Madras in Boards L.Dis. L. 1466/46 dated. 20.5.46. This lease will be complete current upto 19.7.1968.

In G.O. Ms. No. 3262 Dev. Dept. dated. 30.7.52 instructions have been issued that pending the issue of new rules for regulating the leases which existed prior to coming into force of the M.C. Rules of 1949 the old leases will continue to be governed by the rules in the Madras Mining Manual viz the respective lease deeds. Therefore the present lease held by M/S Tiffin Barytes, Asbestos and Paints Ltd., is not governed by the M.C. Rules 1949 but by the conditions laid down in the lease deed itself.

According to covenant 1 of part IV of the mining lease deed originally granted to Sri. Dasaratharama Reddy and subsequently transferred in the name of M/S Tiffin Barytes, Asbestos and Paints Limited, Madras; the Governor or any lessee or person authorised by the Governor has got liberty and power to enter into and upon the land granted on M.L. (viz. S. No. 311 of Harganadona village) and to search for, win work dig, get raise or carry away any other; than the said ore (Red oxide and ochre) and any other substances and for those purposes do all acts that are necessary for mining, provided that, in the exercise no hinderance or interference shall be caused to the liberties, powers and preveleges of the lessee and that fair compensation shall be made to the lessee for all loss or damage sustained by the lessee.

P.T.O.

Cmo 3533 : T/52

As per Govern covenant 14 under Part VII of the lease deed the lessee is not to obstruct the working of other minerals in the area and he has to afford reasonable means of access and safe and convenient passage upon and across the leased area for miners of other minerals.

According to Convenant to under part IX (General Provisions) of the mining lease deed if any mineral not included in the lease is discovered by the lessee within the leased area and if no mining lease shall then be held by any other person in respect of the same; the lessee shall during the 12 calender months next succeeding the discovery thereof have the option of taking a mining lease in accordance with the rules.

M/S Tiffin Barytes, Asbestos and Paints Limited, Madaras, though they are working the mines in the said area from 1946, have not so far found Manganese ore in the area. Though the covenants of the lease deed held by M/S Tiffin Barytos and Paints limited Madras provide for the grant of a P.L. to Sri. V.Nagappa to prospect for manganese ore; I am of opinion that there will be unnecessary conflict between the two miners as they have to mine two different minerals in the same area. I therefore request the Govt to issue clear instructions in the matter; and pass orders as they deem fit on the present P.L. application of Sri. V.Nagappa for the area held on lease by M/S Tiffin Barytes, Asbestos and paints limited, Madras.

The following records are submittedfor persual and return.

(A) 1) R.Dis. M.L.A. 2/1935 dated. 27.7.1938
(B) 2) R.Dis. 271/46 dated. 10.5.47
(C) 3) The P.L. application of Sri. V.Nagappa t the chalan for Rs. 50/- and the sketch submmitted by him

I request that the receipt of the above records may be acknowledged at an early date.

17/1/53

For Collector.

Encl:- Five (By Registered Post Ack. Due)
Copy submitted to the Secretary to Government, Development Department, Fort St. George, Madras for information.

To A.

DW(T).

(pp. 11-12 above)

The remarks of the DFOs may be awaited till 11-2-53.

20/1/53

21/1/53

OFFICE OF THE DIRECTOR OF INDUSTRIES AND COMMERCE: MADRAS

From
Sri M.T. Raju, Bar-at-Law, I.C.S.,
Director of Industries and Commerce,
Cathedral P.O. Madras 6.

To
The Secretary to Government,
Development Department,
Fort St. George, Madras.

-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-

Ref. No. J/5402/52-3 dated 7-2-1953.

Sir,

Sub: Mining - prospecting licence - Manganese - Bellary District - Bellary Taluk - Hargandona village - S. No. 311 -Extent 472.32 acres - application of Sri V. Nagappa - report - submitted.

Ref: Government Memorandum No. 35352-J/52-7 Development Department dated 4-12-1952.
from the Collector of Bellary Roc. No. 4340/52/A.12 dated 17-1-1953.

Sri V. Nagappa of Bellary has applied for the grant of a prospecting licence for manganese over an extent of 472.32 acres in S. No. 311 of Hargandona village limits of Bellary Taluk for a period of two years and has remitted Rs.50/- towards application fee.

The Collector of Bellary in his letter cited above (a copy of which has been submitted to Government direct) has reported that the area applied for was originally granted to Sri Dasaratha-Rama Reddy of Madras on mining lease for red oxide and ochre for a period of thirty years and subsequently transferred in favour of Messrs. Tiffins Barytes Asbestos and Paints Limited, Madras. The lease will be current upto 19-7-1968. The Collector has invited attention to covenant I of Part IV of the Mining Lease Deed under which the Governor or any lessee or person authorised by the Governor has got liberty and power to enter into and upon the land granted on mining lease and to search for win, work, dig, get raise or carry away any other than the said ores granted on mining lease and any other substances and for those purposes do all acts that are necessary provided that in the exercise hereof no hinderance or interference shall be caused to the liberties, powers and privileges of the lessee and that fair compensation shall be

p.t.o.

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-2-

made to the lessee for all loss or damage sustained by the lessee by reason or in consequence of the exercise of such liberty and powers. According to covenant 14 under part VII of the lease deed also, the lessee is not to obstruct the working of other minerals in the area granted on mining lease and he has to afford reasonable means of acess and safe and convenient passage upon and across the leased out area for miners of other minerals. Covenant 10 under Part IX of the lease deed also lays down that if any mineral not included in the lease is discovered by the lessee in the leased out area and no mining lease shall then be held by any other person in respect of the same, the lessee shall during the twelve calendar months next succeeding the discovery thereof has the option of taking a mining lease in accordance with the rules. The Collector in this connection has reported that though Messrs. Tiffin Barytes Asbestos and Paints Limited, Madras have been working the mines in question from 1946 they have not so far found manganese ore and that though the covenants of the lease deed held by Messrs. Tiffin's Barytes Asbestos and Paints Limited provide for the grant of a prospecting licence to Sri V. Nagappa there will be unnecessary conflict between the two miners as they have to mine two different minerals in the same area and has requested the Government to issue clear instructions in the matter and to pass orders as they deem fit on the application of Sri V. Nagappa.

It is submitted that no manganese ore has been found so far in the area in question. The area is already being worked for red oxide and ochre and it will not be desirable or possible to permit another licensee to work in the same area although the mineral in the latter case be different. In the circumstances I endorse the views of the Collector and suggest that the application of Sri V. Nagappa be rejected.

The application, chalan, sketch filed by the applicant, Collector's R. Dis. No. M. L. A. 2/1935 dated 27-7-1938 and R. Dis. No. 271/46 dated 10-5-1947 are submitted herewith. (A)(B)(C)

for Director of Industries and Commerce.

sg.13.2.
Encls:

106
6/3

Desp 53

Sub: Mines - P.L. - Manganese ore - Bellary Dt. - Bellary Tk. - Haraganadona Village - Sno 311 - Ext. 472.32 acres - Appln of Sri V. Nagappa of Bellary - Rejected.

Ref: From Sri V. Nagappa, letter dt 25-3-52.
From Re Collector of Bellary Re no 4340/52 A12 dt 12-1-53.
From Re Dfte no J/5402/52.3 dt 1-2-53.
Geo. mb. 1031 Development dt 5.3.53.

Sri V. Nagappa of Bellary has applied for Re grant of a prospecting licence for manganese ore over an extent of 472.32 acres in S. no 311 in Haraganadona Village, Bellary Tk and Dt. As Re plot applied for is covered by the subsisting lease Re appln. is rejected.

Re appln. fee of Rs 50/- (Rupees fifty only) received by Re applicant shall be refunded.

5/3/53

Re Dfte (with A B & C in orig) for compliance to Re Collector of Bellary

Sri T. Nagappa
Kadambanda,
Donappa Road
Bmapet, Bellary

Dev (J) Dept

C No. 35352 J/52

Sub: Mines – Prospecting licence – Manganese ore – Bellary District Bellary Taluk – Haraganadona Village – S. no. 311 – Ext. 472.32 acres – Application of Sri V. Nagappa of Bellary

Ref: Govt. memo no. 35352 J/52-1 dated 26-4-1952
From the Collector of Bellary R. Roc no. 4340/52 A12 Dated 17-1-1953
From the Dist no. J/5402/52-3 dated 7-2-1953.

– Sri V Nagappa of Bellary has applied for the grant of a prospecting licence for manganese ore over an extent of 472 32 acres in S.no. 311 in Haraganadona Village, Bellary Taluk and District He has remitted Rs 50/- towards the application fee.

The Collector of Bellary has reported that the area applied for is ~~held~~ was originally granted to Sri Basaraka Rama Reddy of Madras on mining lease for red oxide and ochre for a period of thirty years and subsequently transferred in favour of M/s Tiffins Barytes Asbestos and Paints Ltd Madras and that the lease will be current up to 19.7.1968. He has also added that as the Govt ~~ordered~~ imposed restrictions in their G.O. Ms no 32 62 Dev. Dept dated 30.7.1952 that, pending the issue of new rules for regulating the leases which executed prior to coming into force of the M C Rules '49, the old leases will continue to be governed by the rules in the Madras Mining Manual Viz the respective licence deeds, the present lease held by M/s Tiffins Barytes, Asbestos and Paints Ltd is not governed by the M C Rules '49 but by the Conditions laid down in the lease deed itself.

According to Covenant I of Part II of the mining lease deed the Governor or any lessee or person authorised by the Governor has got liberty and power to enter into and upon the land granted on mining lease and to search for win, work, dig, get, raise or carry away any mineral other than the said ores granted on mining lease and any other Substances and for those purposes, do all acts that are necessary provided that in the exercise thereof no hindrance or interference shall be caused to the liberties, powers and privileges of the lessee and that fair compensation shall be ~~made~~ paid to the lessee for all loss or damage sustained by the lessee.

2.

3538 25/52

While (under) Covenant 14 under part VII of the lease deed, the lessee is not to obstruct the working of other minerals in the area granted on mining lease and he has to afford reasonable means of access and safe and convenient passage upon and across the leased out area for miners of other minerals, the Covenant 10 under part IX of the lease deed ~~also~~ lays down that if any mineral not included in the lease is discovered by the lessee in the leased out area and if two mining lease ~~shall not be~~ is held by any other person in respect of the same the lessee shall during the twelve Calender months next succeeding the discovery hereof, ~~has~~ have the option of taking a mining lease in accordance with the rules.

12
28/2
M's p 2 c F.

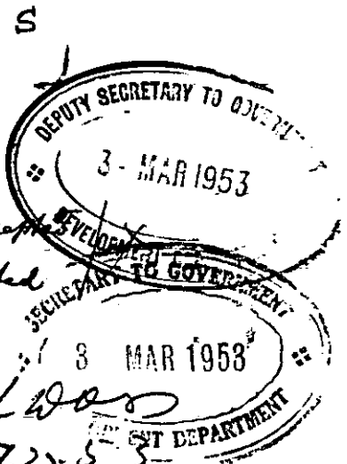
The Collector has stated that though M/s Tiffin Barytes, Asbestos and Paints Ltd of Madras have been working the mines in question from '46 they have not so far found manganese ore and in the area that though the Covenants of the lease deed held by the lessees provide for the grant of a prospecting licence to Sri V. Nagappa of Bellary for manganese, there will be unnecessary conflict between the two sets of miners as they have to mine two different minerals in the same area. He has therefore requested the Govt. to issue clear instructions in the matter and to pass orders as they deem fit on the application of Sri V. Nagappa.

B Corp 12 F.

The D.Dte has stated that no manganese ore has been found so far in the area in question; that the area is already being worked for red oxide and ochre by M/s Tiffin Barytes Ltd and that it will not be desirable or possible to permit another licensee to work in the same area although the mineral in the latter case is different. He has therefore endorsed the views of the Collector ~~at B~~ at 'B' above and suggested that the application of Sri V. Nagappa may be rejected. In the circumstances it is for orders whether the suggestion of the D.Dte at 'S' above will be accepted.

Sup 14 F

S



The suggestion of the D.I.C. may be accepted and the application of Sri V. Nagappa rejected

6/2/53 24.2.53

26/2/53

Dft Govt Order M(10L) S.S.

X above approved, M(9 & L)

23/53

To Ag.

Desc 33.

With reference to 'x' on p2 above a draft order is submitted for approval.

A
5/3/53

Ag
4/3/53.
4.3.53